

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GYEONG JEI LEE,

Defendant.

NO. CR 20-167 RAJ

ORDER SETTING TRIAL DATE

THE COURT having considered the motion to continue trial and pretrial motions deadline filed by the parties in this matter, as well as the record and files herein, including the Defendant's written waiver of speedy trial, hereby makes the following findings:

1. On September 25, 2020, the Defendant was arrested on Complaint, charging him with Interference with Flight Crew Members and Attendants, in violation of 49 U.S.C. § 46504, and Assault Within the Special Aircraft Jurisdiction of the United States, in violation of 18 U.S.C. § 113(a)(4) and 49 U.S.C. § 46506. Dkt. 1. After his arrest, the United States filed a Motion for Detention. Dkt. 2.
2. On September 30, 2020, a federal grand jury indicted the Defendant, charging him with Interference with Flight Crew Members and Attendants, in violation of 49 U.S.C. § 46504, and Assault Within the Special Aircraft Jurisdiction of the United States, in violation of 18 U.S.C. § 113(a)(4) and 49 U.S.C. § 46506. Dkt. 8.

3. On October 2, 2020, the United States filed a motion to Schedule a Competency Evaluation and Hearing. Dkt. 15.
4. On October 22, 2020, Magistrate Judge Tsuchida ordered the Defendant to be released on conditions of Appearance Bond to include requiring psychiatric treatment upon release from the Federal Detention Center. Dkt. 47.
5. On November 16, 2020, the Defendant was ordered to undergo a competency evaluation conducted by Dr. Martinez. Dkt. 51. In so ordering, the Court excluded any time resulting from any proceeding, including any examinations, to determine the Defendant's competency in computing the time within which trial must commence. 18 U.S.C. § 3161(h)(1)(A). *Id.*
6. On January 19, 2021, the Court considered the competency examination conducted by Dr. Martinez, conducted a hearing pursuant to 18 U.S.C. § 4241 and 18 U.S.C. § 4247, and found the Defendant competent to stand trial.
7. The parties request that trial begin in this matter on October 4, 2021.
8. The ends of justice served by extending the trial date in this matter to October 4, 2020 outweighs the Defendant's and the public's best interests to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A); 18 U.S.C. § 3161(h)(7)(B)(i), (iv).
9. The failure to grant the continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

IT IS THEREFORE ORDERED that all pretrial motions, including motions in limine, shall be filed no later than August 4, 2021, and that trial will begin on October 4, 2021.

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1 IT IS FURTHER ORDERED THAT the time period between the date of this order
2 and the trial date of October 4, 2021, is excludable time, pursuant to 18 U.S.C. §
3 3161(h)(7)(A), for the purposes of computing the time limitations imposed by the Speedy
4 Trial Act, 18 U.S.C. § 3161-3174.

5 DATED this 19th day of January, 2021.

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8 The Honorable Richard A. Jones
9 United States District Judge
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